

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 2-17-04 Signature: Carol Martin  
(Carol Martin)

Docket No.: 64104-02USC1.001  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Leonard Stevens, et al.

Application No.: 10/699208

Group Art Unit: N/A

Filed: October 31, 2003

Examiner: Not Yet Assigned

For: METHOD AND APPARATUS FOR CLOSING  
A SEVERED STERNUM

**TRANSMITTAL LETTER**

MS: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Petition under 37 CFR 1.47(a) and
2. Declaration of J. Pat Heptig;
3. Fee Transmittal.

Our check in the amount of \$130.00 covering the required fees is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by

Application No.: 10/669208

Docket No.: 64104-02USC1

this firm) to our Deposit Account No. 10-0447, under Order No. 64104-00002USC1. A duplicate copy of this paper is enclosed.

Respectfully submitted,

By 

J. Pat Heptig

Registration No. 40,643

JENKENS & GILCHRIST,

A Professional Corporation

1445 Ross Avenue, Suite 3200

Dallas, Texas 75202

Tel: (214) 855-4500

Fax: (214) 855-4300



# Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

1445 ROSS AVENUE  
SUITE 3200  
DALLAS, TEXAS 75202

(214) 855-4500  
FACSIMILE (214) 855-4300

www.jenkins.com

J. Pat Heptig  
(214) 855-4779  
pheptig@jenkins.com

AUSTIN, TEXAS  
(512) 499-3800  
CHICAGO, ILLINOIS  
(312) 425-3900  
HOUSTON, TEXAS  
(713) 951-3300  
LOS ANGELES, CALIFORNIA  
(310) 820-8800  
NEW YORK, NEW YORK  
(212) 704-6000  
PASADENA, CALIFORNIA  
(626) 578-7400  
SAN ANTONIO, TEXAS  
(210) 246-5000  
WASHINGTON, D.C.  
(202) 326-1500

October 29, 2003

Via Federal Express Overnight and Facsimile (405) 239-6651

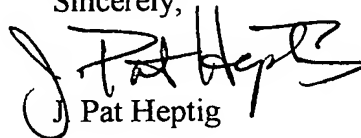
Joe Ferretti, Esq.  
Crowe & Dunlevy P.C.  
20 N. Broadway, Suite 1800  
Oklahoma City, OK 73102-8273

Re: U.S. Patent Application for Method and Apparatus For Closing A Severed  
Sternum  
Inventors: Leonard Stevens and Archibald S. Miller, III  
Our Ref No.: 64104-2

Dear Mr. Ferretti:

It is my understanding that you represent Dr. Miller in connection with the inventorship disputes between Dr. Miller and Leonard Stevens with respect to the patent and pending applications for the "Method and Apparatus For Closing A Severed Sternum" (U.S. Patent No. 6,540,769; U.S. Patent Application No. 10/095,324; U.S. Patent Application No. 10/403,154; and PCT Application No. PCT/US02/34636). As you are the legal representative for Dr. Miller, I have enclosed a draft of a U.S. Patent Application regarding the above-referenced invention for Dr. Miller's review. Please immediately forward this draft application to Dr. Miller for his review. We ask that Dr. Miller execute the enclosed Declaration and Power Of Attorney and return it to me via facsimile so that the application can be filed in the U.S. Patent Office. If we do not receive the executed documents by 3:00 p.m. October 31, 2003, the application will be filed in the U.S. Patent Office in its current form.

Sincerely,



J Pat Heptig

JPH:mwm  
Enclosures